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Hugh Alexander Curtas

February 28, 2023

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Voter Reference Foundation, LLC

vs.

Raul Torrez, et al.

**EXHIBIT**

**P19**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

VOTER REFERENCE FOUNDATION, LLC,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No.
	)	1:22-cv-00222-
RAUL TORREZ, in his official	)	JB-KK
capacity as New Mexico	)	
Attorney General, and	)	
MAGGIE TOULOUSE OLIVER, in	)	
her official capacity as	)	
New Mexico Secretary of State,	)	
	)	
Defendants.	)	

DEPOSITION OF HUGH ALEXANDER CURTAS

February 28, 2023

Remote oral deposition of  
HUGH ALEXANDER CURTAS, conducted at the location of  
the witness, commencing at 9:08 a.m. MST, on the  
above date, before CORINNE T. MARUT, C.S.R. No.  
84-1968, Registered Professional Reporter,  
Certified Realtime Reporter and Notary Public.

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1 answering the questions here, and she would have  
2 been someone to -- she would have likely been the  
3 one to have initiated the, "Hey, staff, look  
4 through your records. Do you have any  
5 correspondence with this organization?"

6 Because I definitely didn't in terms of,  
7 you know, my -- because one of the first things I  
8 would have done, especially because I am the press  
9 person or I am the communications person, if  
10 someone is going to have correspondence about  
11 alleging something like this, they should have come  
12 to me and nobody had come to me at this point as  
13 far as...

14 So, I could say that I hadn't had any  
15 correspondence, but I needed confirmation from the  
16 larger amount of staff. And that's what this  
17 bullet point is there.

18 MS. LECOCQ: I hate to interrupt. Once we are  
19 done with this exhibit, do you think it's possible  
20 to take a break? It's been almost an hour.

21 MR. TYLER: Yes.

22 MS. LECOCQ: Thanks. We don't need it now.

23 MR. TYLER: The rest of this might take a  
24 little bit.

25 MS. LECOCQ: Okay.

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1 MR. TYLER: So, let's go ahead and take a  
2 break now.

3 MS. LECOCQ: I appreciate it. Thank you.

4 MR. TYLER: What time is it right now? I  
5 think we are going to go off the record and come  
6 back at 10:20.

7 (WHEREUPON, a recess was had  
8 from 10:08 to 10:21 a.m.)

9 MR. TYLER: We will go back on the record  
10 here.

11 BY MR. TYLER:

12 Q. We were talking about I believe the  
13 December 16 e-mail from you to Megan O'Matz?

14 A. Um-hmm.

15 Q. Okay.

16 A. Yes.

17 Q. And I'm just going to -- I'm going to go  
18 through here and ask you about some specific  
19 things, and just answer as to as much of your  
20 knowledge as you actually remember.

21 A. Okay.

22 Q. And, so, if you're saying, you know, "I  
23 would have contacted this person," or something  
24 like that, just try to be as specific as possible.

25 A. Okay.

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1 Q. Okay. So, you say, "Simply put,  
2 VoteRef.com is misleading the public about New  
3 Mexico's voter rolls and are perpetuating  
4 misinformation."

5 I have got a couple terms just in that  
6 sentence that I would like to define quickly.

7 When you say "misinformation," what do  
8 you mean?

9 A. I mean misinformation about voting and  
10 elections that was very prominent at the time and  
11 continues to be very prominent.

12 Q. So, misinformation, though, what do  
13 you -- what is misinformation to you?

14 A. So, misinformation in -- are you talking  
15 in general or specific what I'm specifically  
16 referring to here?

17 Q. If there is a general definition that  
18 you have and then a different specific definition  
19 in this context, then I would like to know both of  
20 those. But if there is just one, I'd like to know  
21 that one.

22 A. I think in this context, they are the  
23 same. And what I mean by misinformation and  
24 election and voting misinformation at this -- here,  
25 is putting out information about our voting and

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1 elections that doesn't correspond to the truth.

2 Q. And in this context, you're saying that  
3 VRF is perpetuating misinformation. What is the  
4 information that VRF was putting forth that did not  
5 correspond to the truth?

6 A. Sure. So, the misinformation that  
7 Voter Ref is -- you know, that I'm claiming here,  
8 is that there are discrepancies within our voter  
9 data.

10 Q. And how did you come to that conclusion?

11 A. That conclusion is basically the first  
12 bullet point of my answer in this e-mail, namely,  
13 that this organization is claiming that our voter  
14 data is not accurate and they are mis- -- I mean,  
15 they are, they being Voter Ref, are  
16 mischaracterizing the data they seem to be in  
17 possession of.

18 Q. What is the characterization by  
19 Voter Ref that you are saying is misinformation?

20 A. That there are differences between the  
21 voter -- like the voter data and number of ballots  
22 cast or, you know, what they are alleging in here,  
23 in there or what I have been told from this  
24 reporter at this point is incorrect.

25 A discrepancy -- well, what I came to

14 (Pages 50 to 53)

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1 **A. No, no.**

2 Q. And your first bullet point, the  
3 discrepancy -- we kind of talked around this for a  
4 while, so I'm trying really hard not to make you  
5 repeat yourself. I'm sorry if you have to do that.

6 The discrepancy that you're talking  
7 about, who is the person that you went to with that  
8 question?

9 MS. LECOCQ: Objection.

10 BY MR. TYLER:

11 Q. I think that you said it was Mandy and  
12 Greg?

13 **A. Yes. That's correct.**

14 Q. Are those the only two people?

15 **A. Those would -- those were the people  
16 that I knew to go to first, and those were the  
17 people that I addressed that question to.**

18 Q. Do you remember what information they  
19 gave you so that you could come to this conclusion?

20 **A. This was the information that they --  
21 they gave me.**

22 Q. Okay.

23 **A. Yeah.**

24 Q. So, are these their words or are these  
25 your words?

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1 **A. These are my words drafted from what  
2 they told me.**

3 Q. Okay. In the course of either, you  
4 know, when you got the first e-mail from Megan  
5 O'Matz or at any point after that, have you created  
6 any like file on VRF or anything like that that you  
7 would have, research documents and/or drafts of  
8 things?

9 MS. LECOCQ: Objection.

10 BY THE WITNESS:

11 **A. No, no. Other than, you know, the  
12 e-mails that -- these e-mails and things that I  
13 have produced for discovery, yeah, that's -- that's  
14 the only information I would have referencing VRF.**

15 BY MR. TYLER:

16 Q. Okay. And moving on to the second  
17 bullet point, you say, "No, our Office has not been  
18 contacted by this group to discuss their findings  
19 likely because that would not serve their intended  
20 goal of spreading misinformation."

21 I think we've hit that first clause a  
22 good amount.

23 **A. Um-hmm.**

24 Q. The second one, where did you come to  
25 this conclusion or how did you come to this

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1 conclusion that the intended goal of VRF is to  
2 spread misinformation?

3 **A. So, I would have -- I came to that  
4 conclusion because of the information that I had at  
5 that point and -- which cannot also -- which must  
6 be seen in the larger context of what's going on in  
7 December of 2021 and to now, which is an immense  
8 amount of mis- and disinformation about voting and  
9 elections being, you know, in the public  
10 conversation.**

11 **So, that's to say me specifically,  
12 because I'm kind of the front line on this, but our  
13 office more generally, very -- we are very attuned  
14 to the misinformation that's out there about  
15 elections in general and New Mexico's elections  
16 specifically.**

17 **And, so, I as the spokesperson for the  
18 office am pushing back hard wherever I find it,  
19 wherever I see it, and because we want New Mexicans  
20 to have accurate information about their voting and  
21 elections. It's part of our mission at the office.**

22 **And, so, I'm very attuned to that.**

23 **Once I kind of looked at all of this,  
24 namely, that this group is in illegal possession of  
25 our voter data and not only are they in illegal**

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1 **possession of our voter data, they are making  
2 claims, false claims, about the data that they  
3 have, and those two things are really concerning to  
4 me and led me to the conclusion -- especially  
5 because there is a larger kind of strategy of  
6 election denialism that focuses on voter list  
7 maintenance specifically.**

8 **So, it's not like this is happening in a  
9 vacuum. There is a reason that when I'm looking at  
10 all of this information that I have at this point,  
11 I am, you know -- I'm of the opinion that this  
12 is -- that this is their intention.**

13 Q. Are there other people in the  
14 Secretary's office that share your feelings about  
15 this?

16 **A. I wouldn't be able to talk about -- I  
17 mean, specifically to whatever individuals are  
18 thinking about this and, you know, about this group  
19 and in this time. So, I mean, you know, this is --  
20 yeah, I mean, I don't know exactly what someone  
21 like Sharon or Mandy or whatever, you know, would  
22 think about this group at this time.**

23 Q. Have you ever talked to anyone in the  
24 office about the kind of -- what you're referencing  
25 as the greater kind of misinformation around

19 (Pages 70 to 73)

1 I, CORINNE T. MARUT, C.S.R. No. 84-1968,  
2 Registered Professional Reporter and Certified  
3 Shorthand Reporter, do hereby certify:

4 That previous to the commencement of the  
5 examination of the witness, the witness was duly  
6 sworn to testify the whole truth concerning the  
7 matters herein;

8 That the foregoing deposition transcript  
9 was reported stenographically by me, was thereafter  
10 reduced to typewriting under my personal direction  
11 and constitutes a true record of the testimony  
12 given and the proceedings had;

13 That the said deposition was taken  
14 before me at the time and place specified;

15 That the reading and signing by the  
16 witness of the deposition transcript was waived;

17 That I am not a relative or employee or  
18 attorney or counsel, nor a relative or employee of  
19 such attorney or counsel for any of the parties  
20 hereto, nor interested directly or indirectly in  
21 the outcome of this action.  
22

23 \_\_\_\_\_  
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24 Registered Professional Reporter  
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